

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14757 of Toufik and Doris E. Bouadjemi, pursuant to 11 DCMR 3107.2, for a variance from the off-street parking requirements (Sub-section 2101.1) to convert a single-family dwelling into a four unit apartment house in an R-5-B District at premises 1871 California Street, N.W., (Square 2554, Lot 55).

HEARING DATE: February 24, 1988
DECISION DATE February 24, 1988 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located on the north side of California Street between 18th and 19th Streets, and is known as premises 1871 California Street, N.W. It is zoned R-5-B.

2. The site is currently developed with a three-story plus basement single family brick row dwelling which was constructed in approximately 1902.

3. The immediate area is characterized by mid-rise apartment buildings and townhouses in the R-5-B and R-5-C Districts.

4. The subject site measures 18.07 feet in width and 86.0 feet in depth. There is a drop in elevation from the front to the rear of the site of approximately eight feet.

5. The applicants propose to convert the existing single family dwelling into a four-unit apartment building. The applicants will reside in one of the units and lease the other three.

6. The Zoning Regulations require that the applicants provide two on-site parking spaces for the proposed use. The applicant will not provide any parking on-site. A variance from the Zoning Regulations of 100 percent is therefore required.

7. The existing structure pre-dates the Zoning Regulations and occupies nearly 100 percent of the lot.

8. There is no alley access to the rear of the site. There is a narrow pedestrian walkway and steps which lead to

a 15 foot wide east-west alley approximately 30 feet north of the site.

9. The site is abutted by similar row dwellings to the east and west, the rear yard of a property fronting on 19th Street to the north, and California Street to the south.

10. The Office of Planning (OP) by memorandum dated February 17, 1988, recommended approval of the application. The OP was of the opinion that the proposed conversion is in keeping with the character of the area and furthers the goal of the city to increase its housing stock. The existing building pre-dates the Zoning Regulations and would require extensive structural changes in order to provide the required parking spaces beneath the existing structure. The OP was further of the opinion that there would be no substantial impact on the area due to existing residential parking permit privileges and the location of the Dupont Circle Metro station within five blocks of the site. The Board concurs with the recommendation of the OP.

11. Advisory Neighborhood Commission (ANC) 1C made no recommendation on the application.

12. There was no opposition to the application at the public hearing or of record.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing Findings of Fact and the evidence of record, the Board concludes that the applicants are seeking an area variance, the granting of which requires a showing of a practical difficulty upon the owner arising out of some exceptional or extraordinary condition of the property such as exceptional narrowness, shallowness, shape or topographic conditions. The Board further must find that the relief requested can be granted without substantial detriment to the public good and that it will not substantially impair the intent, purpose and integrity of the zone plan.


Section 2101.1 of the Zoning Regulations requires that two parking spaces be provided. The applicants are providing no on-site parking spaces necessitating a variance of 100 percent. The Board concludes that the applicants have met the burden of proof. The existing structure pre-dates the Zoning Regulations and occupies nearly 100 percent of the lot. The narrow width of the site, the adjoining developed land and public rights-of-way, and the existing building preclude strict compliance with the provisions of the Zoning Regulations. The site is convenient to public transportation and on-street parking is protected by the Residential Parking Program.

The Board further concludes that granting the requested relief will not cause substantial detriment to the public good and will not substantially impair the intent, purpose and integrity of the zone plan. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 4-0 (Maybelle T. Bennett, Charles R. Norris, William F. McIntosh and Carrie L. Thornhill to grant; Paula L. Jewell not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


EDWARD L. CURRY
Executive Director

FINAL DATE OF ORDER: MAY 24 1988

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

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